

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
SHARLANDS TERRACE, LLC; et al,  
Defendants.

03:04-CV-00292-LRH-RAM  
– consolidated with –  
03:04-CV-00397-ECR-VPC

ORDER

SILVER STATE FAIR HOUSING  
COUNCIL, INC. And PAUL BABIAK,  
Plaintiffs,  
v.  
SHARLANDS TERRACE LLC; et al,  
Defendants

Presently before the court is third party defendant Cedar Roofing's motion to dismiss third-party complaints, or in the alternative for summary judgment on order shortening time (#142<sup>1</sup>). No opposition has been filed.

<sup>1</sup> References to (#XX) refer to the court's docket.

1 Local Rule 7-2(d) provides that the “failure of an opposing party to file points and  
2 authorities in response to any motion shall constitute a consent to the granting of the motion.”  
3 Accordingly, the court will grant Cedar Roofing’s motion to dismiss the third party complaint  
4 against it.

5 Alternatively, the court notes that Cedar Roofing’s argument for dismissal based on  
6 jurisdictional grounds was analyzed in the court’s previous order granting similar relief to other  
7 third party defendants (#137). Thus, had the court reached the merits of Cedar Roofing’s motion, it  
8 would have dismissed the claim for the reasons stated in the aforementioned order.

9 IT IS SO ORDERED.

10 DATED this 24<sup>th</sup> day of January, 2006.



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13 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE  
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